

**IN THE COURT OF SHRI R.VANLALENA, SENIOR CIVIL JUDGE-II, AIZAWL
DISTRICT, AIZAWL, MIZORAM.**

Civil Suit No. 100 OF 2015

Shri Manphunga,
S/o Lianhnawla (L)
Tuikual 'D'
Aizawl, Mizoram

... Petitioner

-Versus-

1. State Bank of India

Represented by the Chief Executive Office/Managing Director
Central Officer, Madam Cama
Mumbai – 400021

2. The Chief Manager,

State Bank of India,
Dawrpui Branch, Aizawl

... Defendants

BEFORE

Shri R.Vanlalena, Senior Civil Judge-II,

PRESENT

For the Plaintiffs : Mr. B.Lalramenga & ors, Advocates.

For the Defendants : Mr. T.J.Lalnuntluanga, Advocate.

ORDER

This is a Civil Suit No.100/2015 filed by Mr.Manphunga, S/o Lianhnawla (L) R/o Tuikual 'D', Aizawl against the State Bank of India representative Officer/Managing Director, Central Office, Madam Cama Road, Mumbai – 400021 and the Chief Manager, State Bank of India, Dawrpui Branch, Aizawl.

The petitioner sought an order from this Court directing the Defendants i.e. State Bank of India to immediately furnish all relevant documents pertaining to the auction of the land belonging to Mr.Manphunga covered by LSC No. 543/1980 situated at Tuikual 'D' Aizawl.

I have heard Mr.B.Lalramenga, Ld. Counsel for the Plaintiff assisted by Mr.JH Ramneihmawia, Rosie Malsawmtluangi and others who submitted that the land belonging to the Plaintiff had been auctioned and sold by the concerned authority as per the provision contained in SARFAESI Act consequent upon failure to liquidate his loan dues. After the said auction and sale of the landed properties, the Plaintiff had requested the authority of the State Bank of India to furnish him all relevant documents pertaining to auction and sale of the land covered under LSC No. 543 of 1980 for the purpose of filing an appeal before concerned authority. However, the Defendants (SBI) turned down the request and failed to furnish the sought documents. Hence, the instant case.

I have also heard Mr.TJ Lalnuntluanga, Ld. Counsel for the State Bank of India, who submits that due to communication gap, the sought documents have not been furnished to the Plaintiff and the Bank has no ill-will in not furnishing the documents sought by Mr.Manphunga.

Upon hearing the parties at length, this Court has come to a conclusion to pass an order as follows:

ORDER

1. The State Bank of India is hereby ordered to furnish to Mr.Manphunga (Plaintiff) all connected papers pertaining to auction, bid and sale of LSC No.543 of 1980 executed under SARFAESI Act within a period of 2 (two) weeks from the date of this order for which Mr.Manphunga shall approach the State Bank of India, Dawrpui Branch, Aizawl.

With this order, the instant case stands disposed of.

Sd/- R.VANLALENA
Senior Civil Judge-II,
Aizawl District, Aizawl.

Memo No. /SCJ-II/2016 : Dated Aizawl, the 19th February, 2016

Copy to :

1. The District Judge, Aizawl Judicial District, Aizawl.2.

2. Shri Manphunga, S/o Lianhnawla (L) Tuikual 'D', Aizawl, Mizoram.
3. State Bank of India, Represented by the Chief Executive
Office/Managing Director, Central Officer, Madam Cama Mumbai – 400021
4. The Chief Manager, State Bank of India, Dawrpui Branch, Aizawl
5. Mr.B.Lalramenga & Ors, Ld. Counsels for the Plaintiff.
6. Mr.JT Lalnuntluanga, Ld. Counsel for the Defendants.
7. Judicial Section.
8. Guard file.
9. Case record.

P E S H K E R